UNITED NATIONS **S**

Security Council

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GENERAL

S/1994/1271
9 November 1994

ORIGINAL: ENGLISH

LETTER DATED 9 NOVEMBER 1994 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On Wednesday, 9 November 1994, Serbian planes, presumably flying from the United Nations Protected Areas in the Republic of Croatia, fired missiles and other weapons on the area of Bihać. This information was apparently confirmed by United Nations spokesman Tim Spicer, who said that rebel Croatian Serb aircraft had fired two missiles at targets north-west of Bihać. He added that the planes had released the missiles while flying in Croatian airspace.

We must inquire as to why this violation of the no-fly zone was tolerated and not responded to.

May I ask for your kind assistance in circulating the present letter as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador and Permanent Representative

94-43952 (E) 091194 101194

UNITED
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General Assembly
Security Council

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A/49/655
S/1994/1272
9 November 1994

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-ninth session
Agenda item 148
THE SITUATION IN THE OCCUPIED
TERRITORIES OF CROATIA

SECURITY COUNCIL
Forty-ninth year

Letter dated 9 November 1994 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General

I have the honour to enclose a copy of the letter that I have today forwarded to the President of the Security Council, Madeleine K. Albright (see annex).

I would kindly request your assistance in distributing the present letter and its annex as a document of the General Assembly, under item 148, and of the Security Council.

(Signed) Mario NOBILO
Permanent Representative

94-43986 (E) 091194 101194

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ANNEX

Letter dated 9 November 1994 from the Minister for Foreign Affairs of Croatia addressed to the President of the Security Council

I have the honour to express the position of the Republic of Croatia with regard to the report of the International Conference on the Former Yugoslavia (ICFY) (S/1994/1246, annex) and in particular its chapter IX.

The Republic of Croatia welcomes the endeavours of the international community in its attempts to certify the effective closure of the border between the "Federal Republic of Yugoslavia (Serbia and Montenegro)" and the Republic of Bosnia and Herzegovina. However, I should also like to emphasize our concerns with regard to the insufficient number of monitors observing the border.

The above notwithstanding, my Government reiterates its deep indignation with aspects of the ICFY Mission that concern the Republic of Croatia, as expressed in my letter dated 4 October 1994 to the President of the Security Council (A/49/473-S/1994/1129, annex), regarding the previous ICFY report of 3 October 1994 (S/1994/1124, annex). In that letter, my Government requested action by the Security Council regarding the obvious violation of resolution 820 (1993) of 17 April 1993 on the part of the ICFY Mission. The ICFY Mission violates the resolution by facilitating transshipments of non-humanitarian goods through the Republic of Bosnia and Herzegovina without the appropriate authorization of the Government of the Republic of Bosnia and Herzegovina, and by facilitating import of such goods into the Republic of Croatia not only without the appropriate authorization from the Croatian Government, but even against the explicit protest of the Republic of Croatia, as expressed in my letter of 4 October.

The present ICFY Mission report even goes a step further compared with the previous report. While the report of 3 October spoke of "arrangements" that had been made, the present report now confirms that - after our protest lodged with the President of the Security Council - the ICFY Mission has "firmly established ... procedures for traffic transiting the territory held by the Bosnian Serbs into the territory held by Serbs in Croatia".

Further, the report specifically determines that the said "procedure" for the illegal and contraband supplies of fuel shipped from the "Federal Republic of Yugoslavia (Serbia and Montenegro)" to their proxies in the occupied territories of Croatia is being facilitated by the ICFY Mission.

The Republic of Croatia would like to stress the applicability of resolution 820 (1993), and in particular its paragraph 12. Further, we would like to emphasize the fact that the export of any goods from the "Federal Republic of Yugoslavia (Serbia and Montenegro)" is explicitly prohibited by the relevant resolutions of the Security Council. The present situation, where the ICFY Mission is facilitating the illegal actions of the "Federal Republic of Yugoslavia (Serbia and Montenegro)", is further exacerbated by the fact that it

is strategic material, namely, fuel, that is contrabanded and that it is highly likely that this fuel is being used for military purposes.

With regard to the possible use of this fuel for military purposes in the Republic of Croatia, and in the Republic of Bosnia and Herzegovina, after it is unloaded in the occupied territories of Croatia adjacent to the Bosnian Serb-controlled areas in the Republic of Bosnia and Herzegovina, my Government requests that the ICFY Mission inform the Security Council as to the quantity of fuel transported through ICFY Mission arrangements.

Likewise, my Government requests that the United Nations Protection Force (UNPROFOR) command in Croatia institute a regular reporting procedure of shipments of fuel into the occupied territories of Croatia as soon as possible, in cooperation with the appropriate authorities of the Republic of Croatia.

My Government requests that the Security Council, as the body that has provided the mandate under which the ICFY Mission is operating and violating the binding resolution of the Council, demand from the Co-Chairmen of the ICFY that they cease immediately the illegal "firmly established procedures" for the contraband of fuel or any other goods into the Republic of Croatia not having the prior authorization of the Croatian Government. Further, my Government emphasizes that such illegal "arrangements" and "procedures" that facilitate the serious violation of the Security Council resolution are seriously jeopardizing the sovereignty of the Republic of Croatia, and that they will not be helpful to the Croatian Parliament when it debates the future of United Nations or ICFY presence on its soil in January 1995.

I would also like to draw your attention to two more striking examples of how the sovereignty of Croatia is being grossly violated by different factions of the Serbian irregular forces. As you probably know, the Bosnian Serb forces stationed on the southern bank of the River Sava, formally in the territory of the Republic of Bosnia and Herzegovina, have kept numerous Croatian cities and villages in the Županja area under constant bombardment and harassment. The general alert in this ares has been in effect for almost 1,000 days. Recently these forces have increased the bombardment of the Županja area to an almost unbearable degree.

On the other hand, the Knin paramilitary and irregular forces have been engaged, along with the Bosnian Serb forces, in offensive operations in the Bihać area. According to our information, some 2,500 members of the Knin paramilitary forces have crossed the border between Croatia and Bosnia and Herzegovina. We have repeatedly informed the Security Council of the Knin forces' involvement in operations in Bosnia and Herzegovina, but these activities have only increased in frequency as well as in number.

We have recently been informed by the Government of the Republic of Bosnia and Herzegovina of at least eight documented instances of the Knin forces' involvement in operations aimed against the sovereign territory of the neighbouring republic. The representative of the Government of the Republic of Bosnia and Herzegovina has also demanded that we undertake effective political and other measures in order to prevent "the continuation of Serbian aggression from the territory of the Republic of Croatia" and to prevent "the use of the

United Nations Protected Areas for artillery and infantry attacks on the Republic of Bosnia and Herzegovina".

Such evident violations of the sovereignty of Croatia, as well as that of Bosnia and Herzegovina, are clearly aimed at provoking a large-scale conflict in the area and undermining the overall peace process. They also illustrate the inadequacy of the UNPROFOR mandate.

(Signed) Mate GRANIĆ

UNITED
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Security Council

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GENERAL

S/1994/1273
10 November 1994

ORIGINAL: ENGLISH

LETTER DATED 9 NOVEMBER 1994 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government and in accordance with Article 51 of the Charter of the United Nations, I have the honour to bring the following information to your attention:

The Islamic Republic of Iran has, on numerous occasions, notified the Government of Iraq of its serious concern about and the unacceptability of transborder armed attacks and sabotage operations by terrorist groups against Iranian border towns that originate from the territory of Iraq and constitute a grave violation of sovereignty and territorial integrity of the Islamic Republic of Iran. The Government of the Islamic Republic of Iran has consistently objected to the Government of Iraq for the presence in its territory of terrorist groups enjoying its military, financial, logistical and intelligence supports.

Over the past weeks, these terrorist groups have intensified their bombing campaigns and armed attacks against civilians and oil installations in the Islamic Republic of Iran resulting in the martyrdom of a number of Iranian nationals and material damages.

In response to these transborder armed attacks and in accordance with its inherent right of self-defence enshrined in Article 51 of the Charter of the United Nations, the Islamic Republic of Iran took two proportional and necessary steps. These operations, which have already been concluded, are as follows.

On 7 November 1994, in pursuit of a group of terrorist agents who attacked the border guards of the Islamic Republic of Iran in Mousian region, leaving human casualties and material damages, the border guards of the Islamic Republic of Iran targeted the retreating agents and their training camp in the territory of Iraq.

Today, 9 November 1994, the Air Force of the Islamic Republic of Iran conducted a defensive operation of a limited nature against the joint command and control headquarters of terrorist groups where the recent transborder armed attacks had originated.

While reserving its inherent right to self-defence in accordance with Article 51 of the Charter, the Islamic Republic of Iran reiterates, once again, its respect for the sovereignty and territorial integrity of Iraq.

It would be highly appreciated it the present letter was circulated as a document of the Security Council.

(Signed) Gholamali KHOSHROO
Ambassador
Chargé d'affaires a.i.

UNITED
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General Assembly
Security Council

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GENERAL

A/49/662
S/1994/1274
10 November 1994

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-ninth session
Agenda item 33
QUESTION OF EQUITABLE
REPRESENTATION ON AND
INCREASE IN THE MEMBERSHIP
OF THE SECURITY COUNCIL
AND RELATED MATTERS

SECURITY COUNCIL
Forty-ninth year

Letter dated 10 November 1994 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General

I have the honour to forward to you the Statement dated 8 November 1994 issued by the spokesman of the Ministry of Foreign Affairs of the Democratic People's Republic of Korea.

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda item 33, and of the Security Council.

(Signed) PAK Gil Yon
Ambassador
Permanent Representative

Annex

Statement dated 8 November 1994 by the spokesman of the Ministry for Foreign Affairs

At the current session of the General Assembly, the Japanese Government was engaged in persistent lobbying typified by "money-backed diplomacy" and "imperial family diplomacy" with the aim of becoming a permanent member of the Security Council next year. Its attempt, however, has virtually miscarried, failing to win support from the Democratic People's Republic of Korea and other Asian countries.

Far from drawing a lesson from this disgraceful failure, the Japanese Government reportedly plans to launch another offensive to "drum up support" for a permanent seat on the Security Council at the Asia-Pacific Economic Cooperative Council meeting and unofficial summit to be held in Indonesia in a few days.

The Asian countries, which suffered from the aggression of Japan and feel the danger of the revival of Japanese militarism in every fibre of their being, will never be taken in by any trick of Japan.

Money is not almighty nor is it a means of determining the political position of a country.

The Japanese authorities leave no stone unturned in their bid to obtain the position of political power and military power commensurate with economic power. But Japan, unlike such countries as Germany, is the only country that has not atoned for the crimes it committed in its war of aggression and military occupation before and during World War II.

At United Nations-sponsored human rights meetings today, Japan finds itself in the dock over the problem of compensation to the victims of grave wartime violations of human rights by Japanese imperialism, including "comfort women for the army" and draftees and the problem of punishment of war criminals. Voices are ringing out uninterruptedly, holding that Japan can never be a permanent member of the Security Council unless these problems are solved.

Japan must know that, without liquidating the past properly, it is not entitled to be a permanent member. Sincere repentance for past crimes and atonement for them will be the first step to win confidence from the Korean and other Asian peoples as well as the people of the world.

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A/49/663
S/1994/1275
10 November 1994

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-ninth session
Agenda item 70
MAINTENANCE OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Forty-ninth year

Letter dated 10 November 1994 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement, dated 5 November, by the Government of the Federal Republic of Yugoslavia (see annex).

I should be grateful if you would have the present letter and its annex circulated as an official document of the General Assembly, under agenda item 70, and of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

94-44230 (E) 101194 111194

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ANNEX

Statement made on 5 November 1994 by the Government of Yugoslavia

The Federal Government has considered the latest worrisome developments in the former Bosnia-Herzegovina. It reiterates its firm conviction that the Plan of the Contact Group and the continuation of the peace process are the only rational and viable way for ending the crisis and for its just and lasting solution.

Proceeding from that premise, the Federal Government condemns most strongly the escalation of the civil war as a direct consequence of deliberate and massive violations of the cease-fire agreement by Muslim, and lately also by Croatian, forces. It also considers that the frequent efforts of certain countries to lift the arms embargo on the Muslim side are contrary to the efforts aimed at consolidating the peace process and that they encourage the Muslim side to violate the cease-fire agreement without fear of possible consequences.

The Federal Government expresses its grave concern at the open support for frontal violations of the cease-fire by some countries, including regrettably a Contact Group member. Assessing this violation of the cease-fire agreement as an intentional blow to peace and an overt attempt at undermining the negotiating process and imposing the military option, the Federal Government calls on all parties to the civil war to cease, immediately and unconditionally, all their military activities and strictly to observe the cease-fire agreement. It also calls on other countries not to support, directly or indirectly, the parties to the civil war responsible for the violations of the cease-fire agreement, to oppose the escalation of the war and to support the peace process.

UNITED NATIONS **S**

Security Council

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GENERAL

S/1994/1276
10 November 1994
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 10 NOVEMBER 1994 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government and further to my letter dated 7 November 1994 addressed to you, I should like to inform you that, on the afternoon of 9 November 1994, four Iranian military aircraft bombed the two towns of Kuysanjaq and Taqtaq in the Governorate of Irbil, north of latitude 36, 60 kilometres inside Iraqi territory, which resulted in the destruction and burning of several houses and injury to three civilian inhabitants of the area.

This Iranian aggression constitutes a gross violation of Iraq's sovereignty and territorial integrity, as well as a serious breach of the cease-fire provisions of Security Council resolution 598 (1987). It also violates the Charter of the United Nations.

While wishing to affirm that it reserves its right to legitimate defence against aggression by such means as it deems fit and that the Iranian Government bears the international responsibility arising from its aggression, the Government of the Republic of Iraq also reminds the Security Council, through you, that on more than one occasion the Iranian Government has clearly exploited the imposition of the embargo on Iraq to perpetrate aggression against it, thus necessitating an earnest search for ways of guaranteeing that Iraq is able to defend itself, particularly since the Security Council resolutions which imposed the embargo on Iraq have affirmed the respect of the United Nations and its Member States for the independence and sovereignty of Iraq.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

94-44289 (E) 101194 101194 111194

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1994/1277
11 November 1994

ORIGINAL: ENGLISH

LETTER DATED 9 NOVEMBER 1994 FROM THE PERMANENT REPRESENTATIVE OF AFGHANISTAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to submit the text of the views of the Islamic State of Afghanistan with regard to the peace process in the country dated 9 November 1994.

I would appreciate if arrangements could be made for its distribution as a document of the Security Council.

(Signed) A. G. Ravan FARHÂDI
Permanent Representative

94-44340 (E) 111194

Annex

Views of Afghanistan with regard to the peace process in the country

To discuss the peace proposals of the United Nations on Afghanistan, the Supreme Council of the Islamic State of Afghanistan convened a meeting under the chairmanship of H.E. Burhanuddin Rabbani, President of the Islamic State of Afghanistan on 1 November 1994.

The Council, after discussing the questions concerning the composition of the Convening Commission of the Supreme Islamic Assembly (Loya Jirga), the transfer of power as well as the points related to a provisional Government, adopted the following, representing the views of the Islamic State of Afghanistan on the above-mentioned subject-matters.

(a) The composition of the Convening Commission of the Supreme Islamic Assembly (Loya Jirga) as well as for overseeing the transfer of power, shall be as follows:

(i) The leaders of the Jihadi parties (tanzims), shall each appoint two representatives;

(ii) A total of 10 persons from among Afghan scholars and neutral political figures, living both in the country and abroad;

(iii) Two representatives from each province of the country.

(b) Qualifications of the Convening Commission members:

(i) To be a Muslim;

(ii) To be citizen of Afghanistan;

(iii) Must not have had a non-Islamic party membership and/or have been a high-ranking official of the former regime;

(iv) Must not have had a hostile position towards the Mujahidin;

(v) Must have supported by some means the Jihad of Afghanistan;

(vi) Must have a high degree of morality.

(c) Duties and competence of the Commission:

(i) Ensuring a permanent cease-fire all over the country;

(ii) Appointing a supervisory body to monitor the durability of the cease-fire;

(iii) Opening the communication and transport routes, extending electric power and supervising them;

(iv) Monitoring the borders in order to prevent foreign interference and the flow of arms and ammunition into the country;

(v) Electing a caretaker head of State on the basis of majority vote;

(vi) Transferring power from the President to the caretaker head of state;

(vii) Vote of confidence in the designated cabinet of the caretaker head of State;

(viii) Convening the Supreme Islamic Assembly (Loya Jirga) within two to four months;

(ix) The duration of the validity of the term of office of the caretaker head of State and the Convening Commission of the Islamic Loya Jirga shall be a maximum of four months from the date the Commission is constituted;

(x) Drafting of the rules for the convening of the Supreme Islamic Assembly (Loya Jirga).

Observations:

1. The members of the Commission cannot be members of the caretaker Government.

2. The caretaker head of State and his cabinet members cannot be candidates for the post of President and/or Prime Minister in the first administration to be formed subsequently.

(d) Qualifications of the caretaker head of State:

(i) To meet all the personal qualifications of the Commission members as mentioned above;

(ii) To have an adequate Islamic knowledge;

(iii) To have integrity and dignity;

(iv) To have participated effectively in the Jihad.

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A/49/666
S/1994/1278
11 November 1994

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-ninth session
Agenda item 99
REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS

SECURITY COUNCIL
Forty-ninth year

Letter dated 8 November 1994 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a letter from the President of the Republic of Turkey, dated 7 November 1994, addressed to you and a number of heads of State and Government regarding the issue of humanitarian assistance to Azerbaijan.

I should be grateful if you would have this letter and its annex circulated as a document of the forty-ninth session of the General Assembly, under agenda item 99, and of the Security Council.

(Signed) İnal BATU
Permanent Representative

94-44366 (E) 111194 141194

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Annex

Letter dated 7 November 1994 from the President of Turkey addressed to the Secretary-General

I would like to bring to your kind attention the plight of the 1.2 million displaced Azerbaijanis who constitute 14 per cent of the country's population and who are living under appalling and dire conditions in their homeland. I would not go into the details of the ongoing conflict between Armenia and Azerbaijan which, in fact, represents the tragedy of the region. Today, while we are striving for the resolution of this conflict within the Minsk Group together with our partners, I am particularly worried that the approaching winter would further aggravate the situation of the Azerbaijani refugees.

Turkey, for its part, within its own means, has done everything to alleviate the sufferings of the Azerbaijani people. However, the solution of this exigent humanitarian issue is beyond the capabilities of a single country. For this reason, I believe that the international community should mobilize itself and coordinate its efforts in this direction.

I trust that we can rely on your personal attention with a view to ensuring the international community's contribution by providing assistance to this humanitarian appeal, which could be conducted through relevant international organizations.

Süleyman DEMIREL